

Appl No.: 09/829,764  
Filed: April 10, 2001  
Office Action Mailed: Feb. 13, 2004

## PATENT

## REMARKS/ARGUMENTS

Applicants note with appreciation the thorough review of the present application as evidenced by the Official Action and wishes to thank the Examiner for the allowable subject matter. However, in light of the subsequent remarks, Applicants respectfully traverse the rejections.

The Rejection of the Claims Under 35 U.S.C. § 102 is Overcome

The Official Action rejected claims 1-3, 7, and 10-16 under 35 U.S.C. § 102(a) as being anticipated by United States Patent No. 5,911,121 to Andrews. Applicant respectfully traverses this rejection.

The Examiner opines that "Andrews teaches a removable housing cover adapted to be detachably connectable to a portable radio communication device with a plurality of operating characteristics." The Examiner continues with reference to Figure 2 and column 3 of Andrews '121. The Applicants have amended claim one to more particularly point out that embodiments of the invention allows a user to change the appearance and function of a device by attaching different user-removable covers to the device. Applicants have added the "attaching means" of claim 11 to independent claims 1 and 15. The cover in Andrews is to allow a manufacturer of radio telephones to use a common printed circuit board architecture. Nowhere has the Examiner pointed out where Andrews '121 includes any attaching means at all let alone one that can be operated by an user in order to change the covers of their phones after they have been assembled by a manufacturer.

Therefore, since Andrews '121 is missing any attachment means, claims 1, 11, and 15 are not anticipated by Andrew.. Claims 2 to 10 and 14 are directly or indirectly dependent upon claim 1 and thus are not anticipated by Andrews '121. Claims 12 is dependent on claim 11 and claim 13 is dependent on claim 12 and are thus also not anticipated by Andrews. Claim 16 is dependent on claim 15. Thus claim 16 is not anticipated by Andrews.

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The Rejection of the Claims Under 35 U.S.C. § 103(a) is Overcome

The Official Action rejected claims 4 and 9 under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 5,911,121 to Andrew, in view of United States Patent No. 6,285,891 to Hoshino. In addition, claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 5,911,121 to Andrew, in view of United States Patent No. 6,356,543 to Hall et al. As described below, however, none of the cited references, taken either individually or in combination teach or suggest the user-removable housing cover as recited in independent claims 1, 11 and 15, respectively.

As expressed above Andrew '121 fails to teach any way to allow a user to removably attach the housing cover to the portable communication device. Both Hoshino '891 and Hall et al. '543 fail to show any removable covers at all.

Since the independent claims are patentably distinct from the cited references, taken either individually or in combination, the claims that depend therefrom are also patentably distinct from the cited references for at least the same reasons since the dependent claims include each of the elements of a respective independent claim. Consequently, Applicant submits that, for at least those reasons set forth above, the rejections of the claims under 35 U.S.C. § 103(a) are therefore overcome.

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Applicants submit that all rejections have been overcome and amended claims 1 to 7, and 9 to 16 are allowable over the prior art. Claim 8 has already been deemed allowable by the Examiner. Since all claims are in condition for allowance, a Notice of Allowance is respectfully requested.

No Extensions of Time are requirement for this Amendment. However, if any extension fee is due by the present Amendment or any other paper submitted during prosecution of the present application, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fees required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 50-0270.

Respectfully submitted,

4/21/04



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